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Jan. 27, 2003

Senator Patrick Leahy  
433 Russel Senate Office Building  
Washington, DC 20510

Dear Senator Leahy:

I am passionately concerned with maintaining the civil rights of those who are disabled, elderly, of different races and of women, to name but a few.

I have a pressing matter to bring before you concerning the recent nomination of Mr. Jeffrey Sutton to serve on the U.S. Court of Appeals for the Sixth Circuit. President Bush nominated him, despite the fact that he has declared that, "Everyday our nation was segregated was a day that America was unfaithful to our founding ideals . . . ." Nonetheless, President Bush still nominated Jeffrey Sutton, who is adamantly opposed to the civil rights of Americans with disabilities. Mr. Sutton has been a leader in the effort to limit Congressional Power to enact laws protecting civil rights of all those in need of them. Sutton has prevailed in a series of 5-4 cases before the Supreme Court, all of which have resulted in negative outcomes for people with disabilities. Furthermore, Sutton believes that the protection of the Americans with Disabilities Act (ADA) is "not needed" to remedy discrimination by states against people with disabilities.

A further assault on those least able to help themselves occurred, when Sutton filed a brief before the Supreme Court in *Olmstead vs LC* arguing that unnecessarily keeping people with disabilities in institutions against their will was not discrimination. Those of us in the community of disabled, elderly, women and people of color, to name just a few, are outraged by beliefs such as these. Jeffrey Sutton has admitted that he is often "on the lookout" for cases where he can litigate for any group that supports his hostility toward Federal Civil Rights Protections. Worse yet, he has strongly advocated going far beyond the Court's 5-4 majority to further restrict Congress's Power to protect civil rights.

Many people have fought and died for their civil rights. Revisiting the Civil War and the ongoing fight for civil rights throughout our history are sharp reminders of the terrible cost of gaining and maintaining civil rights. This emphasis on every person's right to participate fully in our society is what makes our nation unique, and in so doing makes our nation the greatest in the world.

Thus, I strongly urge you and any like-minded Senators to vote against the confirmation of Jeffrey Sutton to the Sixth Circuit Court of Appeals.

Sincerely,

  
Dr. Patricia Grant